

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

SAMUEL POND,

No. 0:20-cv-00587-PAM-KMM

Plaintiff,

v.

ORDER

UNION PACIFIC RAILROAD
COMPANY, a Delaware Corporation;
and COVIA HOLDINGS
CORPORATION, a Delaware
Corporation,

Defendants.

Covia Holdings Corporation (“Covia”) filed a “Suggestion of Bankruptcy for Covia Holdings Corporation and Certain of its Affiliates and Notice of Automatic Stay of Proceedings.” ECF No. 32. Under 11 U.S.C. § 362(a), judicial actions or proceedings against a debtor that has applied for bankruptcy relief must be stayed against that debtor. *Id.* § 362(a)(1). Mr. Pond’s claims against Covia must be stayed pursuant to this provision. The Court further concludes that it is appropriate to stay this entire case because the claims against Union Pacific Railroad Company and its cross-claims against Covia are all inextricably intertwined such that it would be a “waste of the parties’ and the Court’s resources” for the matter to be litigated “piecemeal.” *CitiMortgage v. Sellors*, No. 15-cv-1870 (PJS/TNL), 2016 WL 11508202, at *2 (D. Minn. Nov. 16, 2016) (“[A] federal district court has the inherent power to stay the proceedings of an action, so as to control its docket, to conserve judicial resources, and to provide for the just determination of cases which pend before it.”) (cleaned up).¹

¹ The Court held a telephonic proceeding to discuss this matter with counsel for all parties. ECF No. 37. During that conference, counsel for the plaintiff agreed that a stay is appropriate at this time.

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. This action is **STAYED** as a result of Covia's bankruptcy proceeding; and
2. The parties shall provide 90-day joint status updates, every 90 days from the date of this Order, regarding the progress of Covia's bankruptcy proceeding and the likely duration of the stay.

Date: July 14, 2020

s/Katherine Menendez
Katherine Menendez
United States Magistrate Judge